

**A RESOLUTION BY**

**02-R-1468**

**COUNCILMEMBERS HOWARD SHOOK AND CLAIR MULLER**

**A RESOLUTION TO NEGOTIATE AN AGREEMENT  
BETWEEN THE CITY OF ATLANTA AND  
CHATTOWAH OPEN LAND TRUST FOR  
MANAGEMENT OF REAL PROPERTY OWNED BY  
THE CITY AND LOCATED ADJACENT TO THE BLUE  
HERON NATURE PRESERVE; AND FOR OTHER  
PURPOSES.**

**WHEREAS**, the Blue Heron Nature Preserve is a 7 acre wooded area in North Buckhead, along Nancy Creek near Roswell Road and Rickenbacker Drive, within a conservation easement created in 2000 and held by the Chattowah Open Land Trust for the North Buckhead Civic Association; and

**WHEREAS**, the City of Atlanta owns 1.2 acres of real property located on Roswell Road adjacent to the Blue Heron Nature Preserve that will be used by the Department of Public Works during 2002 through 2005 for construction of the Nancy Creek Tunnel; and

**WHEREAS**, the Blue Heron Nature Preserve, acting through the Chattowah Open Land Trust, has expressed a willingness to grant the City a temporary construction easement of approximately one-third to one-half of an acre in connection with the Nancy Creek Tunnel project upon payment of just and adequate compensation; and

**WHEREAS**, in a parallel discussion, the Blue Heron Nature Preserve has requested that after construction of the Tunnel, the City re-naturalize its 1.2 acres as a greenspace and enter into an agreement with Chattowah Open Land Trust for long-term management of the property as part of the Blue Heron Nature Preserve, subject to access and under the supervision of the City's Commissioner of Public Works; and

**WHEREAS**, the Blue Heron Nature Preserve envisions the use of its 7 acres and the City's 1.2 acres as a public-private demonstration streambank stabilization project and as part of a future 30-acre contiguous greenspace linked by water.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee and the City Attorney negotiate and prepare an agreement for approval of Council between the City and Chattowah Open Land Trust for management of City owned real property as part of the Blue Heron Nature Preserve for a term of not more than ten years for the purposes set out in this resolution.